

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

18 U.S.C. § 1343 - Wire Fraud; 18 U.S.C. § 981(a)(1)(C) & 28 U.S.C. § 2461(c) - Criminal Forfeiture

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: Maximum penalties: 20 years of imprisonment (18 U.S.C. § 1343); \$250,000 fine or twice gross gain or loss (18 U.S.C. § 3571(b)(3)); 3 years of supervised release (18 U.S.C. § 3583(b)(2)); \$100 special assessment (18 U.S.C. § 3013)

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

DEFENDANT - U.S.

JOHN FOX

DISTRICT COURT NUMBER

CR16-00281

JD

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1)
- ☒
- If not detained give date any prior summons was served on above charges

- 2)
- ☐
- Is a Fugitive

- 3)
- ☐
- Is on Bail or Release from (show District)

IS IN CUSTODY

- 4)
- ☐
- On this charge

- 5)
- ☐
- On another conviction

☐ Federal ☐ State

- 6)
- ☐
- Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigation

- ☐
- person is awaiting trial in another Federal or State Court, give name of court

- ☐
- this person/proceeding is transferred from another district per (circle one) FRCp 20, 21, or 40. Show District

- ☐
- this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

- ☐
- this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

- ☐
- prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form BRIAN STRETCH

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

Benjamin Kingsley

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☒ SUMMONS ☐ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☒ Arraignment ☒ Initial Appearance

Defendant Address:

 c/o Attorney Robert Breakstone, 311 California Street, 10th Floor
 San Francisco, CA 94104

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: 7/13/16 at 9:30 a.m.

Before Judge: Hon. Donna M. Ryu

Comments:

BRIAN J. STRETCH (CABN 163973)
United States Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN FOX,

Defendant.

CR16-00281

JD

VIOLATION: 18 U.S.C. § 1343 – Wire Fraud; 18
U.S.C. § 981(a)(1)(C) & 28 U.S.C. § 2461(c) –
Criminal Forfeiture

OAKLAND VENUE

INFORMATION

The United States Attorney charges:

1. From in or about 2009 to in or about 2015, in the Northern District of California, the
defendant,

JOHN FOX,

did knowingly and with the intent to defraud devise, participate in, and execute, and attempt to execute,
a material scheme and artifice to defraud and to obtain money and property by means of materially false
and fraudulent pretenses, representations, and promises, and by omissions and concealment of material
facts, and, in furtherance of and for the purpose of executing this scheme and artifice, and attempting to
do so, did knowingly transmit and cause to be transmitted writings, signs, and signals, in interstate and
foreign commerce by means of wire communications, namely, a wire transfer of \$100,271.28 from
H.W.M.L. in Hong Kong to a bank account in the Northern District of California, in violation of Title

INFORMATION

FILED

JUN 28 2016

SUSAN Y. SOONG
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

Document No.
116
Criminal Case

1 18, United States Code, Section 1343.

2 FORFEITURE ALLEGATION: (18 U.S.C. § 981(a)(1)(C) & 28 U.S.C. § 2461 – Forfeiture of
3 Fraud Proceeds)

4 2. The allegations in Paragraph 1 are realleged and incorporated by reference for the
5 purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title
6 28, United States Code, Section 2461.

7 3. Upon conviction of the offense alleged in the single count above, the defendant,
8 JOHN FOX,
9 shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and
10 Title 28, United States Code, Section 2461, any property, real and personal, which constitutes or is
11 derived from proceeds traceable to said violations.

12
13
14 DATED: June 28, 2016

BRIAN J. STRETCH
United States Attorney

15
16
17 
18 PHILIP A. GUENTERT
Deputy Chief, Criminal Division

19
20
21 
22 (Approved as to form: _____)
23 AUSA KINGSLEY